

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

AMERICAN METALS & COAL
INTERNATIONAL, INC.,
a Delaware corporation,

Plaintiff,

v.

CIVIL ACTION NO. 2:05-cv-00822

WHITE MOUNTAIN MINING CO., LLC, et al.,

Defendants.

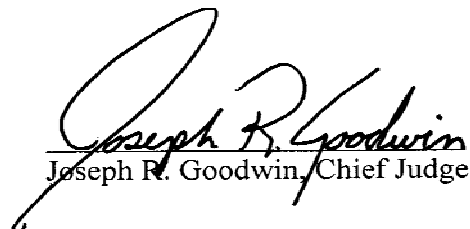
ORDER

The court has been advised by counsel of the pending settlement of this action. The court, therefore, finds it unnecessary to conduct further proceedings or to keep this case on the active docket. Accordingly, the court **ORDERS** as follows:

1. That the remaining requirements of the Scheduling Order be continued.
2. That the Clerk retire this action from the active docket. The parties may submit an agreed order of dismissal within thirty days of the entry of this Order. Otherwise, dismissal will be without prejudice.

The court will reinstate this case to the active docket if one of the parties shows good cause for such reinstatement within thirty days of the entry of this Order. The court **DIRECTS** the Clerk to send a certified copy of this Order to counsel of record and any unrepresented party.

ENTER: November 30, 2007


Joseph R. Goodwin, Chief Judge